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FORTY-FIFTH YEAR

The Burdick Murder Trial

Wife of the Buffalo Manufacturer Before Coroner's Jury.

Pennell's Letters to the Guilty Woman Produced in Evidence.

Buffalo, March 23.—Mrs. Alice Hull Burdick, widow of Edwin L. Burdick, underwent an examination by District Attorney Coatesworth this afternoon at the resumption of the inquest into the death of her husband, who was shot yesterday on February 23. She will be recalled tomorrow to complete her testimony. With a package of letters in her hands, some of which were written to Mrs. Burdick by Arthur G. Pennell, co-respondent in the divorce proceedings, she was examined by Mr. Burdick, and other communications between Mr. Burdick and his wife, Mr. Coatesworth forced Mrs. Burdick to tell the story of her relations with Pennell from the time in 1898 until 1901, when those relations were renewed after Burdick had forgiven his wife and had taken her back to his home for the sake of their children. Mrs. Burdick was deathly pale, and answered the questions in a low faltering tone, evading a direct answer whenever possible. Never since the inquest began has there been such intense interest in the proceedings. The court room was crowded, three-quarters of the spectators being women.

Mrs. Burdick testified that she would be 42 years of age on April 30. She was married to Burdick in 1886. They had three children. She met Pennell at a card party five or six years ago, at which Mr. Burdick was present. She went to New Haven and New York with the Pennells in 1898. Mr. Burdick did not like the children. She met Pennell at a card party five or six years ago, at which Mr. Burdick was present. She went to New Haven and New York with the Pennells in 1898. Mr. Burdick did not like the children. She met Pennell at a card party five or six years ago, at which Mr. Burdick was present. She went to New Haven and New York with the Pennells in 1898. Mr. Burdick did not like the children.

Days Doings In Winnipeg

Body of Iceman Frozen to Death on Prairie at Antler.

Plumbers Ask For Twenty Five Per Cent Increase in Wages.

Winnipeg, March 23.—The commencement of the third week of the strike at Ladysmith finds matters much where they were at the commencement. Mr. Dunsmuir has so far not made any sign, and has not even given the men the satisfaction of refusing terms since has been offered none, not even unconditional surrender. Meanwhile Ladysmith is emptying itself rapidly. Many of the people are returning to Extension, and the younger men all going away to other camps. Possibly when this floating element has disappeared, Mr. Dunsmuir will discuss the situation with the remainder, which will consist mainly of his own old employees and a number of Nanaimo men, who have drifted from here to the neighboring mines, owing to several shafts having been closed by the New Vancouver Coal Company during the last year. Apparently no orders have been given to close the mines permanently, and so long as they stand as they do at present, ready for the resumption of operations at an hour's notice, hopes of settlement in the near future will continue to be entertained.

For the present the men appear to be not without money, and are apparently enjoying their holiday, fishing in the time and indulging in social functions in the evening. Ladysmith just now is very lively for a town under such a portentous cloud.

Gambling Wide-Open

Headache Hood's Pills

MONUMENTS BE SURE TO Get Stewart's Prices

Winnipeg, March 23.—An Iceman named Brindson, living near Antler, Assa, has been missing since the 18th. He had \$300 in his pockets and foul play was suspected.

Today his body was found on the prairie, death having occurred from exposure.

While crossing on the ice on the Red river today the ice gave way beneath a large band of horses. Fifty-five were plunged into the waters and all but two were rescued.

The charge of deserting employment preferred against four striking freight clerks by the C. P. R. was again demanded for a day on account of counsel being engaged at the Assize Court. Journeymen plumbers of the city have made a demand for an increase of 25 per cent. in wages.

Twenty new policemen are to be added to the Winnipeg police force owing to the city's rapid development.

THE WESTSIDE

SPECIAL VALUES IN NEW WASH FABRICS

English Prints Fancy Dress Ducks

The beauty and elegance of these New Wash Fabrics baffles description. They must be seen to be appreciated, and it's well worth a visit to this store, if only to have a peep at these beautiful materials.

A few price hints selected at random from our stock will be of interest to many readers:—

English Prints, 36 inches wide, in stripe and check effects, full line of colors to choose from, per yard, Special Price 12c.

Heavy Fancy Dress Duck, in light colored grounds, with neat stripes and figured effects, fast colors, per yard, Special Price 12 1/2c.

Fancy Dress Duck in light colored grounds, per yard, Special Price 15c.

Scotch Ginghams, in stripe and check designs, and ideal washing fabrics, per yard, Special Price 12 1/2c.

Fancy Mercersilk, in dark and light colored grounds, in pretty fancy stripe and floral effects, per yard, Special Price 12 1/2c.

Sole Agents for the NEW IDEA PATTERNS, 10c. each.

THE HUTCHESSON CO., LD., VICTORIA, B. C.

Good Effect of VIN MARIANI Is Immediate and Lasting

The Hutchesson Co., Ltd., Victoria, B. C. is the sole agent for the NEW IDEA PATTERNS, 10c. each.

Good Effect of VIN MARIANI Is Immediate and Lasting

THE CANADIAN BANK OF COMMERCE

WITH WHICH IS AMALGAMATED THE BANK OF BRITISH COLUMBIA

HEAD OFFICE, TORONTO.

PAID UP CAPITAL \$ 8,000,000
RESERVE AND UNDIVIDED PROFITS 2,552,000
AGGREGATE RESOURCES Exceeding 70,000,000

HON. GEO. A. COX, Pres. B. E. WALKER, General Manager.

London Office, 60 Lombard Street, E.C.

The Bank has 80 Branches well distributed throughout the Dominion and elsewhere, including the following in British Columbia and the Yukon Territory:

ATLIN, CRANBROOK, FERNIE, GREENWOOD, KAMLOOPS, LAKE LOUISE, NANAIMO, NELSON, SANDON, VANCOUVER, WESTMINSTER, WHITE HORSE.

BRANCHES IN THE UNITED STATES: NEW YORK, SAN FRANCISCO, PORTLAND, SEATTLE, SKAGWAY.

Every description of Banking Business transacted. Letters of Credit on all parts of the world. Exceptional facilities for handling remittances.

SAVINGS BANK DEPARTMENT. Deposits of \$1.00 and upwards received and interest paid at current rates. VICTORIA BRANCH. GEO. GILLESPIE, Manager.

CONSERVATIVES SOUTH ONTARIO

Unanimously Offer Nomination to R. L. Borden—Mr. Foster's Return.

Whitby, March 23.—The annual meeting of the South Ontario Conservative Association was held here today. Nomination for the riding was unanimously offered to R. L. Borden, the leader of the opposition, who was present. Mr. Borden subsequently addressed a public meeting. He thanked the association for the honor of nomination, and promised to do his utmost to take it into consideration. He regretted the defeat of Hon. Mr. Foster in North Ontario, but the defeat he hoped was only temporary. The experience and ability of Mr. Foster were so great that he would not be allowed to remain out of the House. It had been said that certain members of the House, and his own name was mentioned, were not anxious for Mr. Foster's return, but he could assure them that every Conservative desired to see the gentleman's return, and would give him a hearty welcome.

INSANITY'S AWFUL DEED.

Mother Butchers Four Children Then Cuts Her Own Throat.

South Ridge, Mass., March 23.—Mrs. Louise Burke killed her four children with an axe at her home in Fiskeville today and then killed herself by cutting her throat. The woman set fire to the house and the bodies of three children were badly burned. Persons attracted by the smoke gave the alarm and the flames were extinguished in time to show the result of the tragedy. It is thought that the woman was insane.

PALLAS MAKES SEIZURE.

British Warship Takes Charge of Venezuelan Gunboat as Pirate.

New York, March 23.—A special cablegram to the Herald from Port of Spain, Trinidad, says: "The British cruiser Pallas has seized the Venezuelan warship Restaurador on the ground that she is a pirate. The case against the Restaurador recites that soon after she was handed over to the Venezuelan authorities by the German commander, she began again acts of piracy and robbery on the high seas. It is charged that she seized the cargo of vessels and then dismantled and abandoned the craft."

RIOT IN ST. VINCENT.

Government's Refusal to Withdraw Obnoxious Law Leads to Killing.

Kingston, St. Vincent, March 23.—A serious riot was in progress here last night, according to a despatch just received from that city. A mob attempted to burn the government buildings there and the police had to fire on the rioters, killing or wounding several among them. The British cruiser Pallas, at the time the despatch was sent, was landing blue jackets.

NOTICE TO CREDITORS

In the matter of the estate of George Edgar Glinoy Brown, deceased, Intestate.

TAKE NOTICE that administration of the estate of George Edgar Glinoy Brown, deceased, who died at the City of Victoria, B. C., on the 14th day of February, 1903, was granted on the 12th day of March, 1903, to Joseph Henry Brown.

THE E. B. EDDY CO.

HULL, CANADA

LARGEST MANUFACTURERS OF ALL KINDS OF PAPER IN THE WORLD

Also WOODEN WARE, TUBS, PAILS, WASH BOARDS, BUTTER TUBS, AND THE BEST MATCHES ON EARTH.

GLACE BAY FIRE CHECKED.

More Hopeful Aspect of Affairs at Burning Dominion Mine.

Gloucester, N. S., March 23.—This morning affairs look decidedly more hopeful at Dominion No. 1, and a much more cheerful feeling continues to prevail. Very little smoke now issues from the pit. The burning area has been pretty well bratticed off, and air has relatively little chance to reach it.

VOLCANO AGAIN IN ERUPTION

Soufriere Active Renders Lamps Necessary During Sunday Service.

Roseau, Island of Dominica, March 23.—Frequent muffled detonations were heard from Soufriere during the afternoon of Saturday and Sunday morning from the Southwest, and the clouds traveling Westward were laden with dust.

SPRING TIREDNESS

Is Caused by Unhealthy Action of the Liver and Kidneys Assisted by Starved Blood and a Poor Circulation

The great virtues of Paine's Celery Compound are abundantly manifested in the spring. It is a medicine compounded especially to brace the nerves, to sustain heart action, to cleanse the blood and keep the stomach, liver and kidneys in vigorous health.

VICTORIA THEATRE.

Friday, March 27 Grand Concert

The Scottish Prima Donna, Miss Jessie N. Macfarlane, assisted by Miss Alice Dean, the brilliant solo violinist, and Mr. Robert Buchanan, the eminent piano soloist.

GRAND MILLINERY OPENING

TUESDAY, MARCH 24

Under the management of Mrs. J. A. Pickle, late of The Westside. Everybody welcome.

Esquimalt & Nanaimo Ry.

Time Table No. 46. Effective February 1st, 1903.

Northbound. Leave. Daily. A.M. 9:00. Southbound. Arrive. P.M. 12:00.

E. & J. Burke's

Three Star Old Irish Whiskey

It possesses a soft, mellow flavor produced by age and high quality.

JOHNSTON'S SEED STORE.

Kyriazi Freres

Egyptian Cigarettes

Municipal Notice

SEWER RENTAL AND SEWER CONSTRUCTION TAX.

THE ORPHEUM

FEATURING THIS WEEK The Thompsons

E. G. PRIOR & CO., LD., LTD.

ESTABLISHED 1859.

We have a full line of the following goods at the right prices; give us a call if in need of anything in our line.

Buy Bee Starch and get the most perfect starch made.

etc., apply to
E. J. COYLE,
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88 Government St., Victoria, P.
of the Canadian Bank of Commerce,
Victoria, B. C.

The Colonist

TUESDAY, MARCH 24, 1903.

PUBLISHED BY

The Colonist Printing & Publishing Company, Limited Liability.

No. 27 Broad Street, Victoria, B. C.

A. G. SARGISON, Managing Director.

A WIDE OPEN TOWN.

We have a wide-open town in our midst. Chinatown is wide open. The Chinese lotteries and gambling houses are in full swing. Of the facts there is not the smallest question. They are detailed elsewhere. In three short months the wave of reform which deposed Mayor Hayward and elevated Mayor McCandless has spent its force. We thought at the time that Mayor Hayward was most unjustly and unreasonably opposed upon this ground, and we think so still. A generally diffused spasm of civic purification has struck the Pacific Northwest. Seattle and Tacoma have made a very definite effort to cure the sore spots in these cities, and are apparently meeting with success. It has been, and is, a most beneficial movement. A more enlightened public opinion has brought people to see that, not merely upon grounds of expediency, but upon the lower grounds of morality, what are known as "wide open towns" are detrimental in every way to those who live in them. Victoria shared in this movement, we are glad to say. But the reason why we think that the attacks made upon Mr. Hayward were cruel, unjust, and unreasonable, is that that gentleman's face was always set towards a high standard of civic purity, and he was always prepared to do, and always did, go as far as the public opinion of the city would back him up, in maintaining such a standard. But this general stirring of the public conscience with which Mr. Hayward was quite in sympathy, was ingeniously turned into an engine against him for political purposes. A very general desire among the people for a better state of affairs than had prevailed was deliberately prostituted for political purposes. We do not think we in any way misrepresent what occurred at a well-remembered public meeting when we say that in answer to the question "Will you enforce the laws?" Mr. Hayward's answer was, "I will, to the best of my ability," and Mr. McCandless' answer was, "I will." During the campaign the changes were rung upon these two statements. It was pointed out that Mayor Hayward's answer left him a loophole for exculpation or excuse, while none was left to Mr. McCandless by his answer. And so an old and tried servant went down to defeat under the stigma, little as he deserved it, of being a patron of vice, and the present Mayor was elected as a champion of purity. Mr. McCandless recognized in his answer no limitations as to his power to enforce the laws, therefore he cannot refuse the responsibility of their not being enforced, if enforced they are not. If the law is being broken, we do not place the responsibility upon the Mayor. He has himself placed it upon his own shoulders. He owed his election to the fact that he invited and accepted the responsibility for its enforcement. There was no other issue in the campaign. As between Mr. Hayward and Mr. McCandless the issue, as we tried to show at the time, was entirely a false one, raised for ulterior political motives, but as between the pledges of Mr. McCandless during the campaign and his performance now, it is a true issue, and one not to be evaded. The law is being systematically violated in Chinatown, all days of the week and all hours of the night and day. It is not at all to the credit of the agitators, that having used the moral reform sentiment of the people of Victoria to obtain a victory in municipal politics, they should not have continued to use it to procure a real and not merely a surface improvement. We do not care a button whom our words strike. Anybody whose head the cap fits can put it on. We merely wish to emphasize the fact that since the declaration of the poll on election day the moral reform sentiment has been as dead as a doornail, and that the city is rapidly assuming its old complexion, with added features which many will not consider an improvement.

THE ONTARIO GOVERNMENT.

The independent newspapers of Eastern Canada (they are few in number) have made up their minds that the Ontario government cannot survive the charges made by Mr. Gurney. A judgment has already been passed upon Mr. Stratton, and he has been found guilty. Not only so, but his guilt has been declared to be so prejudicial and involve the other members of the cabinet, that they have been condemned to disappear as a government ruling the destinies of the province of Ontario. This is the verdict of the independent press. Possibly it is wrong to prejudice such matters. But whether it is wrong or not, it is certain that in the case of a political crime, everyone begins to judge of it the moment any particulars are available, and such a thing as judicial forbearance is not only unknown but impossible. The reason is that it is not the criminality of an alleged act that is uppermost in people's minds, but the political consequences of its commission and detection. The court to which all such offences are carried is the court of public opinion, and the penalty attached to them is the loss of political power and prestige. By public opinion the Gurney charges are already held to be substantiated. Public opinion may be very greatly in error, but it will require a very remarkable defence indeed to convince the great jury of the people that it is in error. On a famous occasion the Times newspaper of London made an extraordinary exposure, backed by documentary evidence, of certain notable Irish politicians. Public opinion was greatly stirred, and a famous commission sat upon the charges. The documentary evidence produced was proved to be the result of forgery and conspiracy, and public opinion reversed its verdict. But if this documentary evidence had not been proved to be the result of forgery and conspiracy, even although in fact it

was, public opinion would not have reversed its verdict, although that verdict was absolutely unjust. Similarly, Mr. Stratton and the Ontario government can only be exculpated by a defence in which a conspiracy can be shown to have existed to defame their honor and blacken their reputations. No mere failure of the ordinary process of law to probe the matter to the bottom will avail them one iota before the bar of public opinion. Yet the limitation and definition of the scope of the inquiry is the fighting ground the Ontario government is taking now. Without the ability or impartiality of the Bench being questioned in the slightest degree, it is very easy to see what that might lead to. The judges might be carefully prevented by the terms of their commission from investigating in directions where they were likely to discover anything. We saw, for instance, in some Ontario newspaper, that the stenographic report of Sullivan's conversation with Gurney, which was secretly taken, might be excluded as evidence. What good would that do? If Sullivan does not tell the truth in his evidence he will certainly be confronted with what he said in conversation, and so far as the public estimation of the government is concerned, it would not matter very much whether he is so confronted in court or in the newspapers. A limitation of the scope of the investigation, even if it led to a technical whitewashing of the members of the government, would advantage them but little. Yet that is what the Ontario government is fighting for with its back against the wall. In almost every political scandal that has ever been unearthed, the same fight has been made for a carefully restricted inquiry. It is made upon fallacious grounds. Complicity in political wrongdoing goes in the last analysis to the court of public opinion, so far as its political consequences are concerned, and a correct judgment by public opinion can only be furthered by the fullest and freest possible investigation. The attitude of the partisan press in Ontario shows a lamentable disregard of these very patent facts. The Gurney charges have been met by the attempt to discredit Mr. Gurney and Mr. Whitney. What have the credit or discredit of either one got to do with the substance of the charges. Mr. Gurney's reputation can surely take care of itself. The way to show that it is unworthy to be believed, is to prove that what he has said is false, and that the evidence by which he supports it has been concocted. One newspaper which endeavors to discredit Mr. Gurney by saying that he can only convict the government by convicting himself as a taker of bribes, displays the limit of fatuity. Political morality is at a low ebb in Ontario when it occurs to the Liberal press to fight Mr. Gurney by any other means save by proving the government to be clear from the dishonor of the charges he has made against it.

FERNIE STRIKE SETTLED.

That the strike in the coal mines at Fernie has been settled, will cause a very definite feeling of relief throughout the province. Its consequences threatened to be peculiarly disastrous. A considerable proportion of the coke produced at Fernie is consumed in British Columbia itself as the necessary basis of two great and growing industries, copper and lead smelting. The trouble had already resulted in a serious diminution of the output of our copper mines, and had it gone on much longer, would have made it difficult, if not impossible, for any smelters in the interior to keep in blast. It was also placing a tax upon the carrying capacity of the Canadian Pacific Railway at a time when its car facilities are all too small to handle the growing trade in lumber to the Northwest Territories. Altogether, it promised to dislocate the business of a large section of the interior of British Columbia at the very moment when prospects are growing brighter every day. The committee of the Mining Association sent to Fernie has evidently done the country good service in bringing the management of the mines and the miners together, in smoothing away unessential differences, and limiting the operation of prejudice in keeping the two parties to the dispute apart. But little news has reached us from Fernie. Of what has actually transpired there we know almost nothing. But it appears that a moderating influence to which all credit should be given, has also been exercised by the higher union officials, who suppressed and discontinued the flickering indications of disorder so as to cause them promptly to disappear. When the management of a mine, committees of the strikers, officials of the union, and a committee of private citizens representing all classes, can get together and strike out an agreement meaning peace for a period of three years, we confess that the upshot is to us a most happy augury for the industrial future of British Columbia. It shows that in spite of the influence of a disintegrating school of thought which aims at the overturn of society, the majority of men in this province are still capable of realizing that production and general prosperity go hand in hand, and that the interests of those who control the fixed capital, and of those who supply the indispensable labor, do not lie apart. It also gives us hope that counsels of moderation, reasonable concessions, and the recognition of mutual interest may afford a basis for the prompt settlement of future industrial disputes, without recourse to the somewhat doubtful experiment of legislation designed to carry out that purpose.

A despatch from Vienna announces that the grave of Attila, "the scourge of God" and chief of the tribes of Huns, who overran the Roman Empire in the fifth century, has been found at a place called St. Johann in the Drave Valley, beside the bronze coffin, were several instruments, also of bronze, and underneath it a large stone bearing, in addition to other inscriptions, the name of Attila. Antiquarians have made repeated searches, as they were convinced that the grave would ultimately be found.

The Liberal Association of Nelson, B. C., evidently resents dictation at the hands of the Liberal Association of Vancouver, B. C. It has declared that the proper authority to call a convention is the provincial executive of the Liberal party.

It is reported that the Grand Trunk Pacific is asking a subsidy from the Dominion Government of \$10,000 cash per mile.

Eight men in Paris have fought a bout with regulation duelling swords in order to prove the harmlessness of duels as they are usually fought in France. Who ever doubted it?

By special despatch we learn from Vancouver that the Rev. E. E. Scott left for Ontario yesterday, his mission being to bring back nine unmarried ministers for British Columbia. Why unmarried?

Mrs. Whitaker Wright states that her husband is not an American, adding that if he were he would be "properly protected." This is about as left-handed a compliment to American jurisprudence as anything we have ever read.

The Statist says European capitalists made a great mistake in selling out their American investments at the depreciated prices of ten years ago. If they had hung on they would have been much better off. Our opinion is that European capitalists will shortly have an opportunity of exercising better judgment.

The New York Sun tells its readers that Great Britain and Germany combined are strong enough to defy the Monroe doctrine and conquer parts of South America, but that Great Britain would lose Canada. Canada knows her own way, and is not likely to get lost. The world is not big enough for five and a half million Canadians to get lost in.

The alliance between the Balfour government and the Irish parliamentary party is looked upon with suspicion and distrust by the bulk of the Unionist party, and the first use to which it was put, the passing of the Education Bill, has put the English nonconformists in a furious passion. The revulsion of the votes against the government is increasing, and with every bye-election becomes more obvious. If the people put this government out, and there is no coherent party to put in British politics are likely to become uncertain and exciting. British Columbia at the present time may take a certain amount of gloomy satisfaction in the fact that it was in Great Britain and Ontario that the severest strictures upon our local politics were passed. It would be a very strange thing to find Arthur Balfour "the honest beast" of the Irish parliamentary party, forced round by political exigency to the Gladstonian Irish policy.

We have not had a dig at our old friend, the Associated Press, for some time. But the following in reference to the release of Mrs. Maybrick represents that irritating American distortion in our news under which we suffer without redress:

Those who are in a position to know say that Home Secretary Aker Douglas has shown great energy in connection with the suits now pending in America, with the decision to release Mrs. Maybrick was due entirely to efforts on this side of the Atlantic, and that Ambassador Herbert never has been called upon to act in this matter.

Mrs. Maybrick was found guilty of murder, and sentenced to death. Her sentence was commuted to imprisonment for life. Imprisonment for life is a technical term, which means, or used to mean, a rather shorter term of actual incarceration than a twenty year sentence, although both expire somewhere in the neighborhood of thirteen or fourteen years in the case of a well-behaved prisoner. Mrs. Maybrick is being released in the ordinary course of events sometime about April a year hence. Why this should be tortured to imply the idea that special grace is being extended to Mrs. Maybrick we do not know, unless it is to flatter the presumption that as a matter of course British criminal law would not deal with an American in the same way as with anyone else.

BLINDLY UNPATRIOTIC.

To the Editor,
Sir,—For years the Times has used the most mischievous agency in bounding to death the provincial governments of the day for reasons of the kind now set forth. For the last three years the government has been composed of Liberals and Conservatives, and yet the Times has been endeavoring to break down, belittle, and drag the Liberal government into the mire. It has had the knowledge or grasp of persons, or affairs political to declare who are qualified to rule the country. Any fool can break down, belittle, and drag the Liberal government into the mire. The Times say what benefit it will be to the country or to individuals to achieve incessantly to break down, belittle, and drag the Liberal government into the mire. It is a mischievous agency in bounding to death the provincial governments of the day for reasons of the kind now set forth. 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Boys' and youths' overcoat prices cut in two for cash until after stock-taking. B. Williams & Co.

See the TONGUE in Kiehl's Press Pipe for sale at Army & Navy Cigar Store, Government street.

Three heads for ten cents. This is now the price for fancy loathsome lettuce, dating from Monday, 23rd inst. No table complete without it. To be had from all retailers.

Stocktaking sale, men's overcoats half price for cash. B. Williams & Co.

Mops, Brushes, Tubs, Wringers, Fine Sponges, Buckets, Back Hammers, Fire Wire, and a hundred and one things used in house-cleaning, for sale cheap, at R. A. Brown & Co's, 80 Douglas street.

Ruptured? See Heald, Moody block.

Immense run on Kiehl's Press Pipes. Secure one before all gone, at North & Richardson, Tobacconists, Government street.

The Latest New York Novelties. In Embroidery Patterns for Shirt Waists, Stole and Lace Collars, New Braids and Cushion Tops; work done to order.

Mrs. W. H. Adams, 70 Douglas St.

Wanted in Oregon.—Superintendent F. Hussey, of the provincial police, has issued a circular to the effect that the United States government and the state of Washington want Norman Williams, a shabby dressed, forward looking man with grey stubby moustache, grey eyes and dark hair. No charge is mentioned, but the information is given that if found he is not to be arrested until Superintendent Hussey has been notified.

Cancellation Committee.—The personnel of the delegation from the Provincial Mining Association which made up the cancellation committee at work at Escalet was made up as follows: Messrs. C. K. Koffer, Flannery, Seaman, McAndrews and Foley. A. J. Belyen, K. C., secretary of the Mining Association, informed a Colonist reporter yesterday evening that it is altogether likely that the cancellation committee will now turn its efforts to the task of settling the dispute which has arisen at the Extension mines.

Sewer Rentals.—By notice in the advertising columns of the Colonist, this morning, City Treasurer Kent informed the public that any person dissatisfied with the number of feet frontage with which he is assessed upon the sewer rental roll, whether upon the ground that the measurement is incorrect, or that the land and real property are not liable to taxation or are inequitably assessed under the provisions of the bylaw, may, not later than the 1st day of April in each year, petition the council for an alteration in such roll, stating his grounds for requiring an alteration.

C. P. R. Freight Rates.—On Saturday afternoon at Vancouver the assistant freight traffic manager of the C. P. R., Mr. F. W. Peters, met the joint freight rates committee of the Board of Trade and Wholesale Grocers' Association, and a delegation from the Victoria Board of Trade, to discuss the matter of rates between the Coast and points in the Northwest. The Coast merchants presented Mr. Peters with a statement of the many complaints of the irregularities in the existing rates, of which they complain, and pressed for a revision of the rate schedule. Mr. Peters asked for particulars respecting several of the matters brought up, and finally promised to try to counter the force of the executive upon his return to Winnipeg.

"Queen Esther."—A most successful final rehearsal for the grand production of the "Queen Esther" was held last night in the schoolroom of the First Presbyterian church, everything going without a hitch. A large audience is guaranteed for tonight's performance, and a splendid entertainment is to be given by the principals. The principals are all well known in the city as artists in this line, having had wide experience, and as vocalists are the best the city can provide. Mrs. G. J. Burnett, as "Queen Esther," has the leading role, and will sustain the part to perfection. Mr. J. G. Brown will make a dignified King. Mr. Herbert Kent, than whom there is no better actor-musician in the province, essays the difficult role of "Haman," the King's favorite. Mrs. Currie has also a hard part to play, and does well. Miss Sowercroft has a double bill allotted to her, as has also Mr. Gideon Hicks. Both are well able to fill them. Misses Field and Gilchrist are taking the parts of prince. Mr. Kinnaird the "Scribe." Mr. Fraser the "Herod." Mr. Redman the "Captain of the Guard." Mr. R. Petch the "Reverend." In the hands of these artists, both acting and singing will not suffer from a spectacular point of view. Not a few have even been seen in Victoria like a before the barbaric splendor of the King and Haman's guards and the beautiful dresses of the Queen's guards and Queen's maids of honor—the drills and marches are beautiful in the extreme, being a gem to be seen in the city. Finding a gem to be seen in the city. Finding a gem to be seen in the city. Finding a gem to be seen in the city.

Provincial Catalogue.—A complete catalogue of the books of the Provincial Library is now being prepared by Mr. E. O. Schofield, the librarian, the first edition, containing the works on sociology, being issued today.

Dangerous Ill.—The host of friends of ex-Sheriff J. E. McMillan will learn with the keenest regret that he is in a very critical state of health, his friends fearing the worst. Mr. McMillan's health has been very poorly in recent years, though he has always maintained a pronounced cheerfulness of mood.

Voters' League.—The Voters' League will hold a meeting at the City Hall this evening at 8 o'clock, to consider the significance of the meeting of the Board of Trade of last Friday evening, and its bearing upon the appointment of a board of harbor commissioners for this port. All who are interested in this question are invited to attend.

Miss Stone Coming.—The announcement is made that Miss Stone, the renowned missionary, will visit this city on a tour of the Coast, on April 27, provided arrangements can be made for a lecture. Miss Stone's remarkable experiences while in the hands of brigands last year will be recalled by all, and no doubt the recital of her trials and tribulations would be intensely interesting.

Van And Sullivan.—Notice is published in the Seattle papers that a writ of summons has been issued out of the Supreme Court of British Columbia, in an action wherein the Wellington Cattle Company, Ltd., are plaintiffs and the Van And Sullivan Cattle Company are defendants. The writ is for recovery of the sum of \$11,247.73, being the balance due to the plaintiffs for the price of coal and coke sold and delivered by them.

The Exhibition.—A meeting will be held in the central chamber at the City Hall this evening of the board of management of the Victoria Agricultural Association, when the report of the auditor who examined the accounts of the fall exhibition will be submitted, and a decision reached as to whether an exhibition will be held this fall or not. An executive committee of five will be appointed in accordance with the decision of the meeting held last week.

Strange Disappearance.—R. Levy, who follows the occupation of a tailor, and old resident of the city, is missing from his home, 42 Earle street, and that circumstance is giving his friends much concern. On Monday a couple of weeks ago he went over to the Mainland by the Charmer. Shortly afterwards word came from Nanaimo that he had been in the Coal City and sold a small basket for 25 cents at the store of a Mr. Lancaster. Since then nothing has been heard of him, though the provincial police have made diligent inquiry.

The Pound-keeper.—A resident of the city, who is quite a dog fancier, intends making a complaint to the Council regarding the manner in which the pound-keeper performs his duties. A valuable dog strayed from his premises upwards of a week ago, and he duly advertised for it. On getting the idea that it might be impounded, he sought to obtain information from the pound-keeper, but without avail—he could not reach him by telephone, nor could he find him at the house or pound. The pound-keeper had the dog, but though furnished with the gentleman's telephone number, did not see fit to give him the desired information.

Pound Dead.—Annie Williams, a klothman, well known to the police, was found dead in the vacant lot facing the upper harbor near Murphy's Mill. Her body was found on Sunday, and her remains were removed to the morgue, where a post mortem examination revealed that death was due to alcoholism and exposure. She had evidently become inebriated on Saturday and had been lying on the ground since then. The police were informed of this discovery by a telephone message. She had had no home for some time, and has been living in different cabins with others. She lived with Fred Stoddart, who is now serving a sentence of six months for supplying liquor to Indians, and since his incarceration had been without a home.

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Second Intermediate.—Statutes—9 a.m.

Final for Admission.—Statutes—9 a.m. Pleading and Practice—2 p.m. Equity—4:30 p.m.

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Money to Loan

On Improved Security at
Lowest Current Rates.

PEMBERTON & SON,

45 Fort Street

AUCTION

—OF—

DESIRABLE FURNITURE PIANO, ETC.

At Salesrooms, 77-79 Douglas Street.

Friday, March 27, at 2 p. m.

W. T. HARDAKER,

Auctioneer.

Estes in the Police Court

(Continued From Page Five.)

Mr. Bodwell—Wasn't it discussed in general?

Witness—Not that I know of. It might have been spoken of in connection.

Witness—What does discussed mean?

Mr. Bodwell—I don't think you need a lawyer to help you. Wasn't anything said at all?

Witness—Not to that point.

Witness—Went on to state that he had been urged to declare a strike at Vancouver—he wouldn't stand for that. He went to Vancouver because the agreement had been broken in regard to the shipment of seal freight on the Princess May.

Witness—He did not intend to consult the executive at Vancouver about this.

Mr. Bodwell—Did you hear Estes tell the men to go back and work on the Princess May?

Witness—He did not. He might have heard it on the street that Estes had ordered the crew to go to Union for coal. Estes had, though, nothing to do with the Princess May or crew.

Mr. Bodwell—Now I'm going to prove this witness, so you had better look out what you are doing?

Continuing, the witness answered to the effect that he had gone on to the wharf at Vancouver and down on the Princess Louise to look for such freight.

He had pointed some out to Estes on board the steamer. He took him and showed it to him. He had not looked for the seal freight for the purpose of reporting to the meeting. He had told Estes of the agreement when he showed him the freight. He did not say anything of the 12 hours notice.

Mr. Bodwell—Estes knew there was to be a meeting in Victoria that night?

Witness—I don't know that he did.

Mr. Bodwell—Why did you say on Friday that he did. You asked Estes to speak in Victoria?

Witness—I don't know that I did.

Witness said he asked Estes to come to Victoria, that was all he knew. He didn't ask him to speak until after he came to Victoria.

Mr. Bodwell asked several times as to whether witness had not asked Estes to speak in Victoria, and witness replied every time—Not that I know.

Mr. Bodwell—You found seal freight on board the steamer. Did you report that fact to the meeting?

Witness—Thought for a long time, took another drink, and was evidently uncomfortable. He turned to the court theatrically, and said: "I'm a young man. I've a wife and two children, and you've asked me to do a hard thing. If I break my word to my fellow man, how can you believe me?"

The magistrate explained that the oath he had taken in the society was an unlawful one, and not binding in a court of law.

Mr. Bulley continued: Must I go before the world as a man who betrayed the oath he had taken?

The magistrate explained that the witness must consider himself in the same position as a man who had never taken it.

Mr. Bodwell said that while he was not disposed to dissent on the question of the soundness of what the magistrate had said, did the question of his refusal to answer come within the meaning of the section on referring to refuse to disclose any illegal act?

The magistrate pointed out a previous section which referred to refusal to give evidence. If it was not within

the meaning of the section, it would not be a breaking of the oath. The witness was there to give evidence. An adjournment had been taken on Friday to give witness a chance to look into this matter, but if further time was needed, another adjournment could be taken.

Mr. Bodwell said he would like to see this celebrated oath.

Mr. Bulley asked if the court would adjourn for three or four hours until he could bring the matter before his society. He said this was little enough for a man to ask who had seven years imprisonment staring him in the face. He was a young man, with a wife and family, and seven years was a long time.

Mr. Bodwell thought there was a good deal of red fire being burned unnecessarily. There was plenty of theatricals, and he did not propose to allow this man to be made a martyr, even on his own supplication. He would leave the point for a time.

Witness then went on to tell of showing Estes the seal freight. He might have told him then that the agreement had been broken. Witness could not say that he knew that all the steamers of the C. P. N. fleet would be in port last Monday night. He knew by common sense and Danie were there. He didn't know that a strike would tie up the fleet.

Mr. Bodwell—If a strike was declared you were to quit the company's employ and tie up the Chatter?

Witness—To quit the company's employ.

Mr. Bodwell—Do you mean to say that you would call out the men and expect to delay or stop the voyage of that vessel?

Witness—Might I give my answer?

Mr. Bodwell—Answer yes or no, or you will get more tired. I am giving you a bit of friendly advice. To Mr. Wilson—You and Mr. Estes may laugh—they had done so—but you may encourage this man too far. I am giving him fair warning, and I'm not fooling.

Mr. Bodwell—Do you mean to tell me your oath that you did not expect to delay or stop the Chatter by calling out the men? Yes or no to that?

Witness—I can't say that I did.

Mr. Bodwell—I am asking if you did not hope and expect that it would?

Witness—I had no hope in the matter.

Mr. Bodwell—Tell me the reason, if it wasn't to delay the vessels?

Witness—The agreement had been broken.

Mr. Bodwell—What was the penalty?

Witness—All the men would go out on strike.

Mr. Bodwell—What would be the result?

Witness—I suppose if they didn't have the men the steamers couldn't go out.

Mr. Bodwell—Did you mean to prevent men going to the wharves?

Witness—Our men were told not to go to the wharves.

Mr. Bodwell—Didn't you talk to Estes about the strike? Didn't Thomson say in your report that he was coming to Victoria?

Witness—I don't remember.

Mr. Bodwell—If a man comes here and says so, will you deny it?

Witness—I can't say.

Witness said he had just told Estes that the position of the B. C. S. S. was untenable. Estes would not have anything to say about this. He might have talked of the strike in Vancouver.

Witness—And about the strike he continued to Victoria?

Witness—I don't know that he said anything about that. He was very non-committal.

Mr. Bodwell—Let's have it all. You were overheard, so you might as well tell it. Do you mean to say that this was all that occurred on a voyage lasting five hours?

Witness—Went on to say that he had talked with Estes after his interview with Colonel Prior. Estes told witness what had been said.

Mr. Bodwell—Didn't he tell Colonel Prior he was going to stop every vessel sailing out of Victoria?

Witness—I don't remember any reference to that. Honestly I don't.

Continuing, he said that he did not remember he or Thomson having said that to him. He did not remember that they had discussed it. He answered a number of questions which I don't remember, which led Mr. Bodwell to remark that his memory was good in places but failed when needed.

Witness then gave evidence as to the meeting last Tuesday night, and the instructions to the crew not to cast off until they heard from the meeting.

Mr. Bodwell—Now I'm going into the meeting. If this witness wastes till 2 o'clock to consider his position, well—

Witness—"Can you give me longer? If they will absorb me from my promise I suppose that leaves me free, and I want to get them together to discuss it."

The magistrate—Whether they absolve you or not does not alter your position. Your associates have no right to get you to violate the law.

Mr. Bodwell, continued the examination on another line. Witness said in reply to his questions, it might be that Estes went to the meeting voluntarily, without being invited. He was not a member of the union. Witness did not know whether he was any use to the meeting. He would have no voice at the meeting. He supposed Estes could infer from his conversation what was to be discussed at the meeting. He did not remember if Estes had said he was anxious to have the strike extended to Victoria. Estes might have said so in a general way. He had only a vague recollection.

Mr. Bodwell—Wasn't the effect of what he said to your mind that he wanted to bring the strike to Victoria?

Mr. Wilson objected. There was no need of getting into the realm of thought in this case.

The magistrate thought that as the witness had failed to give the wording of the conversation the questions were inadmissible.

Witness said he could not say that he gained an impression from Estes that he wished the strike extended to Victoria. Witness had not spoken to Estes about extending the strike to Victoria. Witness did not know from his conversation whether Estes was in favor of extending the strike to Victoria. If the strike was called here it would not be in sympathy with the C. P. N. E., but because the agreement was broken.

Mr. Bodwell—Now the real reason was to help the C. P. N. E. in Vancouver, wasn't it?

Witness—I can't say that it was.

Mr. Bodwell—Why did you say the other day that the C. P. N. E. was anxious to extend the strike?

Mr. Wilson objected. He said Mr. Bodwell already asked the question several times, and Mr. Bodwell said he would come back to the question, and he got the truth, if he took a year. They followed a series of questions along this line, to all of which witness said he did not remember. He said the reason for the strike had come from Vancouver. He did not remember if Mr. Bodwell—Wasn't it a sympathetic strike?

Witness—Well, you might put it that way.

Mr. Bodwell—Now as to this meeting. At the private meeting did you ask Estes to speak?

Witness said he was retreating late, and he was tired and hungry.

Mr. Bodwell pressed the question, and

the magistrate repeated his talk to the witness that the oath he had taken was not binding.

Mr. Bodwell—I'm going to have an answer. We're looking long enough.

Witness—Then I must throw myself on the mercy of the court.

The Magistrate—It's a simple question and doesn't affect your associates.

Witness—If a man's a man, if I answer that I'm liable for perjury under British law, and I'm to take seven years.

Mr. Bodwell—Where did you get that idea?

Witness—By taking that oath. If I remain silent I get seven years in jail.

The magistrate explained that he was only liable to imprisonment for perjury. The oath was not binding that he had taken in the society.

Witness said he had a duty to his comrades, and if he did not break his word of honor, he remained silent he was liable to be imprisoned for seven years.

Mr. Bodwell—Who told you that?

Mr. Robertson—He got the idea from the section and the argument.

The magistrate said Bailey was laboring under more fear than any witness he had seen for many a day. He pointed out that as regards the oath, the witness was in no different position before the strike, or before the strike was called. It had no bearing on this case.

The witness argued for some time, and the magistrate said his duty was clear, that the oath did not bind him.

The witness said that if he broke his oath he was liable to the world as a man who had betrayed his fellow man.

The magistrate said it was late in the day to be splitting hairs over this question. He had placed himself in this position, and he was bound to violate one or the other. "Which was it to be?"

Mr. Bodwell again put the question, and witness demurring, an adjournment was taken until the afternoon.

The magistrate said he had evidently taken counsel of his fellows, for he answered the question.

When the case was resumed, the witness went on to say that he did not remember having asked Estes to speak at the private meeting. He had not given any information to newspapers after the meeting. He did not know whether he saw an account of the meeting in the Colonist or not. He had given a copy of the agreement to the Colonist some days before the strike was declared. The fleet was practically called out on Friday, and it was after that time that the agreement was given up.

He made a report to the meeting of seal freight being carried on the steamer. He had not made any recommendation, but Mr. Thomson suggested that the question be discussed fully.

After many questions, without further hesitation went on to tell what happened at the private meeting. He said after it was called to order and the secretary looked around to see if none other than members were there, a summary report was made by S. Thompson and witness of their trip to Vancouver, of the agreement, which was broken, and of their conference in this regard with Capt. Troup and C. P. R. officials. They had decided that their position was no longer tenable, and seal freight was put before the members. Witness said he had pledged his word not to go on strike before 12 hours notice was given. A resolution was then passed to the effect that this resolution was on the minutes. He believed this resolution was passed before Estes spoke.

Mr. Bodwell read from the Colonist report of the private meeting. Witness in answer to questions regarding the report, said that Estes spoke at the meeting, witness and Thomson also spoke more than once. The gist of what Estes said was to advise them not to go on strike but to wait until all was decided. He said that if they went on strike they would have inferred from his remarks he was against the strike. Mr. Bodwell continued to read from the Colonist report which stated that Estes had addressed the meeting at length going into the particulars regarding the strike situation, and witness said that this was practically what had occurred, although he feared Mr. Bodwell's questions for some time, answering evasively. Witness did not remember if Estes had said in the Princess May's crew going back.

Mr. Bodwell—Try and remember. Is your business to remember?

Witness—I don't remember.

Mr. Bodwell—You'll give me no other answer?

Witness said he had made a couple of speeches at this meeting. He had told of the steamers carrying seal freight. Estes at the same time referred to the strike, and told the boys to consider well what they were doing. In fact he pleaded with them not to go out.

Mr. Bodwell—That is very likely.

Witness—Do you mean to insinuate I'm telling an untruth?

Mr. Bodwell—I don't like to say what I think about Mr. Bulley. What do you think, Estes?

Witness—He told us to consider things.

Mr. Bodwell—Consider what the action of going on strike?

Witness could not remember, and to every question for sometime he gave the same answer that he did not remember, and Mr. Bodwell said it was his duty to remember. He had taken an oath to tell the truth.

Mr. Bodwell—You think Estes was trying to persuade those men not to go on strike?

Witness—I honestly think so.

Mr. Bodwell—Why was he there?

Mr. Bodwell—He asked for a rising vote in sympathy with the strike at the public meeting. Had he changed his mind?

Witness—His speech was different at the public meeting.

Mr. Bodwell read the Colonist report of the meeting, questioning witness regarding what he remembered some, but forgot regarding others.

Witness said that at the private meeting when the resolution favoring a strike was put, all but one voted for it. They had not tried to get the engineers to go out. He had not asked the matters to go out. He had broken to some and told them of the decision reached.

Mr. Bodwell—You didn't expect the company would be able to get men on men to all the strikers' places that night?

Witness—I didn't think about it at all. I only wanted to get my clothes off the company's premises.

Witness said he did not expect to believe that on Sunday had not Capt. Troup warned you that if you interfered with the vessels, carrying mails there would be trouble?

Witness—He had on Friday, but not Sunday.

Mr. Bodwell—You had stated that you could not delay a train because it carried mails.

Witness—Something to that effect.

Mr. Bodwell conducted a cross-examination by Employers Journal and asked witness if he had seen it before. He had not. Witness did not remember any conversation with Estes after the strike was declared. He remembered Estes having said, now we've got them, we'll be up every boat they've got, and he said, when he saw the ship, he was out of Victoria tonight. He didn't remember Estes saying the men were standing firm. He did not hear of Estes speaking to the strikers after the strike was declared. He didn't know anything about it. The strike is still on. He had heard Estes speak to the strikers when he was out of the different strikes and argued for the road falling away.

B.—Sections XXXI, XXXII, XXXIII were conveyed to the city by the Crown June 7, 1872. The bank on the sea front of the park, where it has a rock base at high water mark, remains firm, but the sea has cut across the beach, the steps go down to the beach it is breaking away.

C.—The plan of the Fairfield farm estate was registered August, 1865 (No. 13) by which plan a road is dedicated to the public along the sea front of the top of the bank in front of lots 15, 16, 23, 34, 35, 51, which road, together with part of said lots, were expropriated by the Dominion government for a rifle range, and in place of the original road dedicated by Sir James Douglas, the Dominion government set aside a portion

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present strike. Witness was not under orders of Estes regarding the strike, but might ask him for points regarding it. This concluded Bailey's evidence. He was not cross-examined.

Robt. Bullock, of Vancouver, said he had been a constable of the C. P. R. since the strike began. He knew of Estes, C. P. R. Thompson, and Bailey by sight. He came to Victoria on Monday, the 10th. He saw Estes in Vancouver on the wharf. Bailey was also on the wharf. He went into the smoking room. Estes came in about half an hour afterwards. The two Thompsons and Bailey came with him. They sat near the door. One of the Thompsons sat on either side of him and Bailey faced him. They were there two or two and a half hours. Estes was talking about the Southern Pacific in California. He was telling them how strikes had been conducted in California, their success, etc. Bailey and Thompson were talking of the C. P. R. boats, and of how they were going to hold a meeting that evening and tie up the C. P. R. fleet. Witness could hear them. He did not hear what they said. They would tie up the boats. He was satisfied they all knew who witness was. He did not hear Estes say anything in regard to the matter of tying up the steamers. They spoke out only occasionally, and then again kind of low, and when witness looked around they would stop talking. Estes spoke to Col. Prior on the steamer that day. This conversation took place after dinner. It lasted about 20 minutes. Witness heard Estes tell the Premier of the C. P. R. using seals on their Empresses at Vancouver.

A cross-examination by Mr. Wilson, witness said, he was with him. Witness listened as a special constable, intending to report what he heard. He had not heard Estes speak of other strikes than that of the Southern Pacific. He was speaking of generally. The strike mentioned occurred in California.

Capt. J. W. Troup, manager of the C. P. R., said he was with him. Witness was among other things in carrying mails between Victoria and Vancouver. He remembered seeing a number of strikers. They had been called out after midnight. He first received a call from Mr. Bullock that night, and later in consequence of a pressure brought to bear on him, he went and went to the wharf. He found that the crews had gone out. He met Bailey and had a few words with him, and then went aboard to see a new together for the Chatter. She was got away, but later the Dunbar, carrying mail, which was to sail that night, was delayed until the next day.

Mr. Wilson objected several times as to the precedence of the evidence, and at this point Mr. Bodwell said that he would inform the jury to cover the Dunbar as well.

Capt. Troup went on, and objections of Mr. Wilson, to state circumstances of interference with the strike. They had been attempted to cause trouble and a little trouble. He had found men in the smoke hole of the Chatter and had sent them ashore. He had a difficulty with the crews upon the steamers, many men being persuaded by strikers to leave their posts. Pressure was brought to bear on him, and men who were afraid to remain. The trouble was on in its most aggravated form during the first four days.

Witness was cross-examined until 10:20 a. m., to day, when it is probable that Mr. H. Thompson, president of the Vancouver branch of the B. C. S. S. will be examined.

CONSERVING SEA FRONT.

Report of Engineer Hargreaves on Question of Title and Preservation.

The following is the report made by G. Hargreaves, C.E., to the engineer's department, with respect to the ownership of the strip of land facing the sea along Dallas road and Ross Bay, mention of which was made in the weekly summary of civic news appearing in Sunday's Colonist:

Observations on plan prepared pursuant to instructions of the engineer's department, City of Victoria, with a view to ascertaining the title to the road or highway along the sea front (Strait of Juan de Fuca) and the encroachments of the sea upon the lands supporting the roadways.

There are only three titles in question along the sea frontage.

The title of the road commencing at the intersection of the road with section XXIX, Beckley farm and running to the southwestern corner of the Beacon Hill park, derived under a dedication of the same by the Pandion's Bay company, evidenced by the plan laying out the Beckley farm estate. See plan No. 1 Land Registry.

The title to the Beacon Hill park, derived under direct grant to the city from the province.

The title to the land commencing from the southwestern corner of the park and running to the city boundary, derived under abandonment to the Crown and dedication of the road by the late Sir James Douglas, evidenced by the plan of the Fairfield farm estate filed by the late Sir James Douglas, No. 13, in August of 1865.

The title to the cemetery land which commences at the southeastern corner of lot 70, Fairfield farm estate, and of the Ross estate to the city boundary is unnecessary to refer to, although the plan is continued showing the roadways along the sea front to the city limits.

A.—The Dallas road which is on the sea front of Beckley farm was registered as a road January 7, 1863. See plan No. 4, Land Registry office. The road crosses section XXIX, and has a length of 97 retaining wall in several places to prevent the encroachment of the sea. The outside edge of the road opposite sections XXIV, XXV and XIX is nearly a vertical clay bank, and is gradually falling and being carried away by the sea. Actual measurements opposite the end of Oswego street, it has fallen away 18 feet since 1880, when it was 86 feet, and is now 68, but the sea is not the only cause of the denudation. It is materially assisted by the box drains which are cut across the road and project out of the bank, and in two cases, one opposite section XIX, forming offensive cesspools upon which was once a beautiful, clean, shining beach. The crib work opposite section IV requires renewing to prevent the road falling away.

B.—Sections XXXI, XXXII, XXXIII were conveyed to the city by the Crown June 7, 1872. The bank on the sea front of the park, where it has a rock base at high water mark, remains firm, but the sea has cut across the beach, the steps go down to the beach it is breaking away.

C.—The plan of the Fairfield farm estate was registered August, 1865 (No. 13) by which plan a road is dedicated to the public along the sea front of the top of the bank in front of lots 15, 16, 23, 34, 35, 51, which road, together with part of said lots, were expropriated by the Dominion government for a rifle range, and in place of the original road dedicated by Sir James Douglas, the Dominion government set aside a portion

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